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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/977,686	10/16/2001	Joseph R. Nardone	003636.0125	3773

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EXAMINER

LESNIEWSKI, VICTOR D.

ART UNIT	PAPER NUMBER
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2152

DATE MAILED: 12/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/977,686

Applicant(s)

NARDONE ET AL.

Examiner

Victor Lesniewski

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The amendment filed 8/8/2005 has been placed of record in the file.
2. Claims 1-9, 11-21, 26, and 27 have been amended.
3. Claims 1-31 are now pending.
4. The applicant's arguments with respect to claims 1-31 have been considered but are moot in view of the following new grounds of rejection.

Continued Examination Under 37 CFR 1.114

5. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous office action has been withdrawn pursuant to 37 CFR 1.114. The applicant's submission filed on 9/20/2005 has been entered.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alam et al. (U.S. Patent Number 6,324,544), hereinafter referred to as Alam, in view of Feague (U.S. Patent Number 6,247,135).

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8. Alam disclosed a method for synchronizing file objects in object stores between a mobile device and a host computer. In an analogous art, Feague disclosed a method for synchronization process negotiation between a client and a host computer on which data are to be synchronized.

9. Concerning claims 1, 15, 20, 21, 26, and 27, Alam did not explicitly state the synchronization being automatically initiated between the personal data assistant and the host device by the personal data assistant executing the synchronization instruction. Although Alam refers to synchronizing objects upon connection of the devices, he is not specific on this aspect and so is not explicit about "automatically synchronizing." However, Feague discloses this feature as his system begins synchronization upon connection of the devices by allowing them to automatically exchange acknowledgments and begin a synchronization negotiation. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the system of Alam by adding the ability to automatically initiate synchronization between the personal data assistant and the host device by the personal data assistant executing the synchronization instruction as provided by Feague. Here the combination satisfies the need for synchronization methods that support a generalized synchronization protocol while still adapting to the capabilities of the devices. See Feague, column 3, lines 47-56.

10. Some claims will be discussed together. Those claims which are essentially the same except that they set forth the claimed invention as an apparatus are rejected under the same rationale applied to the described claim.

11. Thereby, the combination of Alam and Feague discloses:

- <Claim 1>

A method of reconciling data between a host device wirelessly connected to a personal data assistant, comprising: commencing execution of an application on said personal data assistant (Alam, column 10, lines 44-52); executing a synchronization instruction from said application (Alam, column 10, lines 53-62 and column 12, lines 15-26); and synchronizing data over a wireless connection stored in said personal data assistant with data stored in said host device (Alam, column 13, lines 6-17 and column 5, lines 36-52); wherein synchronization is automatically initiated between said personal data assistant and said host device by said personal data assistant executing said synchronization instruction (Feague, column 14, lines 45-67).

- <Claim 2>

The method of claim 1, further comprising: establishing a TCP/IP communication link between said host device and said personal data assistant for synchronizing said data (Alam, column 5, lines 35-52).

- <Claim 3>

The method of claim 1, further comprising: launching a first synchronization process on said personal data assistant in response to said executing a synchronization instruction (Alam, figure 6, item 140); and launching a second synchronization process on said host device in response to said executing a synchronization instruction (Alam, figure 6, item 148).

- <Claim 4>

The method of claim 3, wherein: said synchronizing is performed by said first synchronization process and said second synchronization process (Alam, column 13, lines 38-49).

- <Claim 5>

The method of claim 4, wherein: said executing a synchronization instruction further comprises executing from the application a synchronization instruction having at least one parameter (Alam, column 10, lines 9-23).

- <Claim 6>

The method of claim 5, wherein: said at least one parameter identifies data for synchronization (Alam, column 11, lines 44-61).

- <Claim 7>

The method of claim 6, wherein: said identified data includes data stored in at least one database in said personal data assistant that is synchronized with data stored in an associated database in said host device (Alam, column 10, lines 53-62).

- <Claim 8>

The method of claim 5, wherein: said at least one parameter includes a control parameter identifying an application to perform a next instruction after executing said synchronization instruction (Alam, column 10, lines 36-43).

- <Claim 9>

The method of claim 5, wherein said step of executing a synchronization instruction further comprises: extracting said at least one parameter from said synchronization

instruction; and storing said at least one parameter in memory in said personal data assistant (Alam, column 12, lines 48-67).

- <Claim 10>

The method of claim 9, wherein said executing a synchronization instruction further comprises: retrieving said stored at least one parameter from said memory; and executing from said application said synchronization instruction with said retrieved at least one parameter (Alam, column 12, line 67 through column 13, line 17).

- <Claim 11>

The method of claim 1, wherein: said executing a synchronization instruction from said application further comprises executing said synchronization instruction in response to an event (Alam, column 10, lines 44-52).

- <Claim 12>

The method of claim 11, wherein: said event comprises selecting a button or icon displayed by said application on said personal data assistant (Alam, column 9, lines 14-22).

- <Claim 13>

The method of claim 11, wherein: said event comprises selecting a menu item displayed by said application on said personal data assistant (Alam, column 9, lines 14-22).

- <Claim 14>

The method of claim 11, wherein: said event comprises one of selecting a form and closing a form displayed on said personal data assistant (Alam, column 8, lines 9-14).

- <Claim 15>

A system comprising: a personal data assistant comprising at least one first database (Alam, figure 1, items 12, 20, and 22); and a host device adapted to be connected to said personal data assistant over a wireless connection and including at least one second database (Alam, figure 1, items 14, 32, and 34 and column 5, lines 36-52); wherein said personal data assistant is adapted to be configured to execute a synchronization instruction for synchronizing said at least one first database and said at least one second database, said synchronize instruction is adapted to be executed from an application running on said personal data assistant (Alam, column 10, lines 53-62; column 12, lines 15-26; and column 13, lines 6-17); and wherein synchronization is automatically initiated between said personal data assistant and said host device by said personal data assistant executing said synchronization instruction (Feague, column 14, lines 45-67).

- <Claim 16>

The system of claim 15, wherein said personal data assistant further comprises: a runtime engine executing said application (Alam, figure 1, item 24); and a memory storing a program file received from said host device, said program file including said synchronization instruction executed by said personal data assistant (Alam, column 4, line 43 through column 5, line 11 and column 8, lines 34-49).

- <Claim 17>

The system of claim 16, wherein: said runtime engine is configured to retrieve said synchronization instruction from said program file and execute said synchronization instruction (Alam, column 12, line 48 through column 13, line 17).

- <Claim 18>

The system of claim 17, wherein: a first synchronization process is launched on said personal data assistant and a second synchronization process is launched on said host device for synchronizing in response to said execution of said synchronization instruction (Alam, figure 6, items 140 and 148).

- <Claim 19>

The system of claim 17, wherein: said host device further comprises an integrated design environment configured to generate said application and said program file, said application and said program file being downloaded to said personal data assistant from said host device through a communication link (Alam, column 5, lines 28-52).

- <Claim 20>

A data synchronization system comprising: a host computer including an integrated design environment (Alam, figure 1, item 14), a first plurality of databases (Alam, figure 1, items 32 and 34), and at least one application (Alam, figure 1, item 30), wherein said host computer is configured to generate said at least one application and a program file including instructions executed with said application (Alam, column 5, lines 28-34); and a personal data assistant connected to said host computer through a wireless connection (Alam, figure 1, item 12 and column 5, lines 36-52), said personal data assistant comprising a runtime engine (Alam, figure 1, item 24) and a second plurality of databases (Alam, figure 1, items 20 and 22); wherein said personal data assistant is configured to receive said at least one application and program file from said host computer (Alam, column 5, lines 28-52), and said runtime engine is configured to initiate said at least one

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application and a synchronization instruction in said program file for synchronizing at least one database in said second plurality of databases with at least one associated database from said first plurality of databases (Alam, column 10, lines 53-62; column 12, lines 15-26; and column 13, lines 6-17 and Feague, column 14, lines 45-67); and wherein synchronization is automatically initiated between said personal data assistant and said host computer by said personal data assistant executing said synchronization instruction (Feague, column 14, lines 45-67).

- <Claims 21, 26, and 27>

A method of synchronizing data between a personal data assistant and a remote computer, comprising: selecting from said personal data assistant which files on said personal data assistant to synchronize with said remote computer (Alam, column 12, line 48 through column 13, line 5); establishing wireless communications between said personal data assistant and said remote computer (Alam, column 10, lines 53-62; column 12, lines 15-26; and column 5, lines 36-52); and automatically synchronizing data between said personal data assistant and said remote computer (Alam, column 13, lines 6-17 and Feague, column 14, lines 45-67).

- <Claims 22 and 28>

The method of synchronizing data between a personal data assistant and a remote computer according to claim 21, wherein: said synchronizing is performed over a wireless connection (Alam, column 5, lines 36-52).

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- <Claims 23 and 29>

The method of synchronizing data between a personal data assistant and a remote computer according to claim 21, wherein: said synchronizing synchronizes a first database on said personal data assistant with a second database on said remote computer (Alam, column 10, lines 53-62).

- <Claims 24 and 30>

The method of synchronizing data between a personal data assistant and a remote computer according to claim 21, further comprising: selecting a button or icon displayed by an application on said personal data assistant (Alam, column 9, lines 14-22).

- <Claims 25 and 31>

The method of synchronizing data between a personal data assistant and a remote computer according to claim 21, further comprising: selecting a menu item displayed by an application on said personal data assistant (Alam, column 9, lines 14-22).

Since the combination of Alam and Feague discloses all of the above limitations, claims 1-31 are rejected.

Conclusion

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor Lesniewski whose telephone number is 571-272-3987.

The examiner can normally be reached on Monday through Thursday.

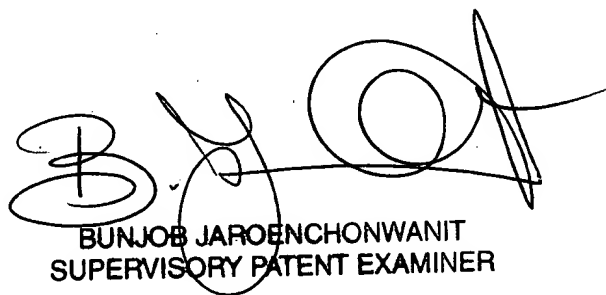
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571-272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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Patent Examiner
Group Art Unit 2152



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